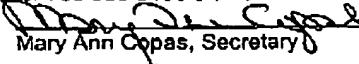


DEC 22 2003

#7  
WID  
Abd  
DW6010  
**OFFICIAL****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office at Fax number 703 872 9306 on December 19, 2003 and to Fax number 703 308 6459 on December 19, 2003.

  
Mary Ann Copas, Secretary

In the Application of Wilhelm Geis et al

Ser.No.: 09/284,311

Filed: April 26, 1999

For: SHAFT LOCKING DEVICE

Art Unit: 3681

Examiner: Rodney Bonck

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**URGENT REQUEST FOR STATUS ON PETITION**

Sir:

Applicants respectfully request the status of the "Request to Rescind Notice of Abandonment" filed via Express Mail on May 4, 2001. Applicants have not received a response to the Request, and status of the application and response to the petition is now urgently requested.

Attached to this transmittal is a full and complete copy of the "Request to Rescind Notice of Abandonment" as filed on May 4, 2001. Additionally, a copy of the Express Mail label under which the Request was filed is also attached.

This letter is being transmitted by telefax to the official number for patent applications as well as to the PCT number for responses to decisions on petition. Although this is not a response to a decision on petition, Applicants are sending a copy to this number in an attempt to ensure that this request is directed to the appropriate organization.

Applicants' representative will also contact the PCT Legal Office and the technical center assigned to this application after submittal by fax in order to confirm receipt of this letter.

Applicants respectfully request a response to the "Request to Rescind Notice of Abandonment" on an expedited basis, if possible, as it has been some time since the request was filed and there is now some urgency regarding this application.

Your attention to this matter is greatly appreciated and the undersigned would very much appreciate a telephone call if additional information is required in order to respond to this request.

Respectfully submitted,

*Robert - Becker*

Robert W. Becker, Reg. No. 26,255  
for applicant(s)

ROBERT W. BECKER & ASSOCIATES  
707 Highway 66 East, Suite B  
Tijeras, NM 87059

Telephone: (505) 286-3511  
Facsimile: (505) 286-3524

RWB:mac  
Attachments

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

"Express Mail" Mailing Label Number EL 490 1888 815 US

Date of Deposit May 4, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Mary Ann Cipas, Secretary

In the Application of Wilhelm Geis et al

Ser.No.: 09/284,311

Filed: April 26, 1999

For: SHAFT LOCKING DEVICE

Art Unit: 3681

Examiner: Rodney H. Bonck

Assistant Commissioner for Patents

Washington, DC 20231

**REQUEST TO RESCIND NOTICE OF ABANDONMENT**

Dear Sir:

In response to the Notice of Abandonment mailed June 29, 2000, the following information is provided to support Applicants' request to rescind the Notice of Abandonment. Specifically, the Office letter mailed on December 1, 1999 was not received in this office and, therefore, it was not possible for Applicants to file a timely response to the Office letter. The process for receiving, entering and tracking receipt of an Office Action is as follows.

The Mail Clerk opens the Office Action, matches the Office Action to the correct file jacket, and delivers the Office Action with its file jacket to the secretary assigned to

receive and process incoming Office Actions.

This secretary enters the Office Action information in the computer data base, notes the pertinent information on the cover of the file jacket, copies the Office Action (for the client), and gives the complete package to the responsible attorney for review and reporting of the Office Action to the Applicants.

The responsible attorney reviews the Office Action and dictates a letter reporting the Office Action to the Applicants. The file jacket and the Office Action are then given to a second secretary who prepares the reporting letter for signature, duplicates the reporting letter, files a copy in the file jacket, and sends the reporting letter and copy of the Office Action to the Applicant. This secretary notes in the computer database "OA TO CL 00/00/00" (00/00/00 indicating the date of the reporting letter). The file is then returned to the first secretary for verification that the "OA TO CL 00/00/00" is correctly entered in the database.

As shown in the attachments A - C, there is no record of receipt of an Office Action for the above-identified application. Attachment A is the main computer screen for the above-identified application. Attachment B is the Office Action computer screen for the same application. Attachment C is a copy of the file jacket cover. None of these attachments reflect receipt of an Office Action for the instant application. We have searched the file jacket for the Office Action. We have not found the Office Action or any record of receipt.

The first communication we received after filing the instant application is the Notice of Abandonment.

As shown by the attachments cited above, there is no record on the file jacket

cover of receipt of an Office Action dated 12/01/99 (this would have been reflected in the column entitled "Office Actions", Additionally, the entire file jacket was searched for the Office Action of 12/1/99 and it was not found.

Also enclosed please find two declarations (Attachments D and E) signed by the individuals who searched the file jacket for the Office Action and who have primary responsibility for the receiving and tracking of Office Actions..

Based on the information provided herein and the Office Action that was not received and is therefore missing from the file jacket, it is respectfully requested that the Notice of Abandonment be withdrawn and the Office Action of 12/01/99 be reissued.

Respectfully Submitted,

*Robert - Becker*

Robert W. Becker, Reg. No. 26,255  
for applicant(s)

ROBERT W. BECKER & ASSOCIATES  
11986 N Highway 14, Suite B  
Tijeras, NM 87059

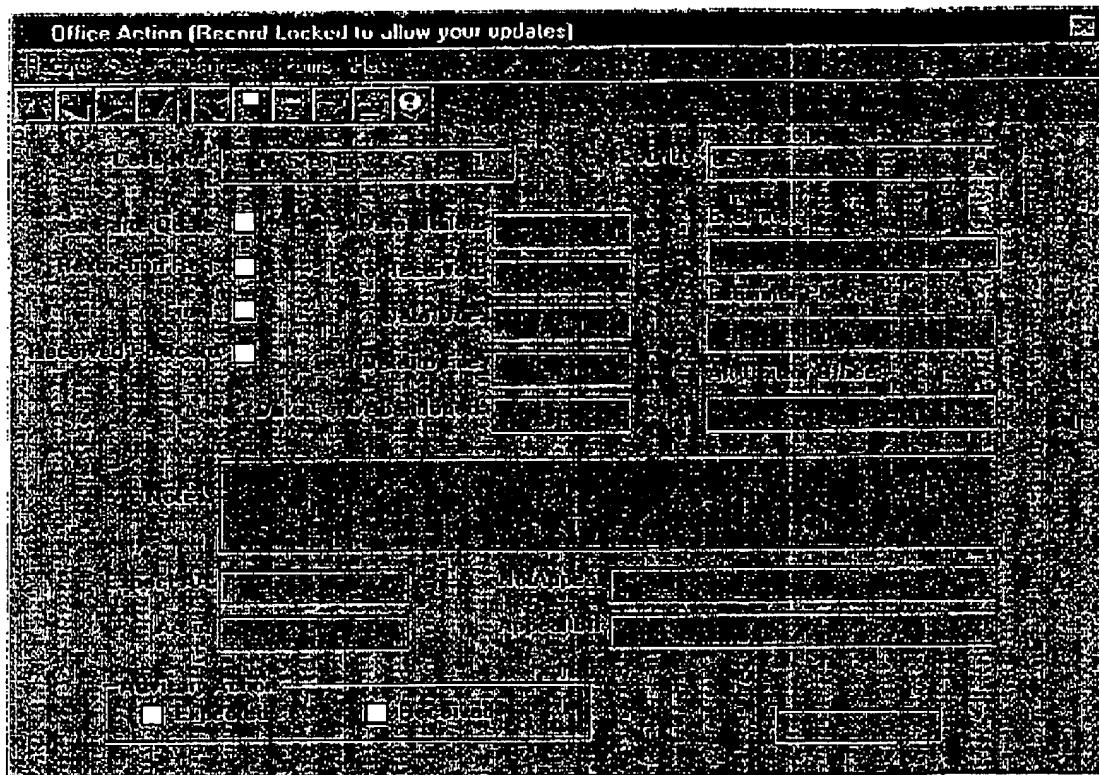
Telephone: (505) 286-3511  
Facsimile: (505) 286-3524

Enclosures:

Attachment A	primary computer screen
Attachment B	office action computer screen
Attachment C	copy of file jacket cover
Attachment D	declaration - Mary Ann Copas
Attachment E	declaration - Evelyn L. Stump



Best Available Copy



Copy of Office Action Data Screen for A90475/ATLAS/KS  
Serial Number 09/284,311

Best Available Copy

Inventor Wilhelm Geis, Manuela Menrath  
Title Shaft Locking Device  
Ser. No. 09/284,311 Filed 26 April 1999 PTO + 311: Renewal Filed \_\_\_\_\_  
Group 3681 Room 103-308-2904 Examiner Rodney Bock  
Remarks Based on DE 297 15 257.2 filed 26 August 1997  
Foreign Cases PCT/EP98/05432 filed 26 August 1998

Allowed \_\_\_\_\_ Renewal All'd \_\_\_\_\_ Final Fee Paid \_\_\_\_\_

ASSIGNMENT	<u>Large</u>	INTERFERENCE
Dated	Atlas Copco Electric	
To	Tools GmbH	
	Max-Eyth-Straße 10	
Address	71364 Winnenden	
Interest	Germany	
Recorded	4/26/79	Reel 010036 Frame 0758
Declared	No.	
Opponent		
Claim Involved		
Decision		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of Wilhelm Geis et al

Ser.No.: 09/ 284,311

Filed: April 26, 1999

For: SHAFT LOCKING DEVICE

Assistant Commissioner for Patents

Washington, DC 20231

DECLARATION UNDER 1.68

Sir:

I, Mary Ann Copas, secretary in the office of Robert W. Becker, Attorney of Record in the above-mentioned patent application, do hereby declare that on May 4, 2001, I searched the entire file jacket of the above-identified application and did not find an Office Action dated 12/01/99. I also am assigned responsibility for logging in Office Actions, Office Letters, and Notices of Abandonment for US Patent Applications. I have no record of the Office Action listed above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of this application, the patent which issues thereon, or any patent to which this verified statement is directed.

  
\_\_\_\_\_  
Mary Ann Copas

May 4, 2001  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of Wilhelm Geis et al

Ser.No.: 09/284,311

Filed: April 26, 1999

For: SHAFT LOCKING DEVICE

Assistant Commissioner for Patents

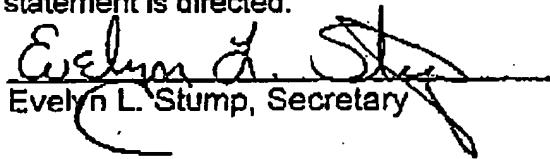
Washington, DC 20231

DECLARATION UNDER 1.68

Sir:

I, Evelyn L. Stump, secretary in the office of Robert W. Becker, Attorney of Record in the above-mentioned patent application, do hereby declare that I on May 4, 2001 searched the entire file jacket of the above-identified application and did not find an Office Action dated 12/01/99. I have responsibility for reporting Office Actions, Office Letters, and Notices of Abandonment for US Patent Applications to clients. I have no record of reporting the communication listed above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of this application, the patent which issues thereon, or any patent to which this verified statement is directed.



Evelyn L. Stump, Secretary

May 4, 2001

Date

<b>POST OFFICE TO ADDRESSEE</b>		<b>EXPRESS MAIL</b>	UNITED STATES POSTAL SERVICE™
ORIGIN (DO NOT USE GRINN)			
PO Box	Code	Date of Delivery	First Rate Envelope
101		11/01	<input type="checkbox"/>
Time In		13 hours	Postage \$2.50
		2nd Day	<input type="checkbox"/>
		3rd Day	<input type="checkbox"/>
Weight		1 lb	<input type="checkbox"/>
		1 lb 1 oz	<input type="checkbox"/>
Delivery		Domestic Check	Postage \$2.50
No Delivery		International Check	Postage \$3.50
DISPATCH INFORMATION		WANTER OF SIGNATURE (OPTIONAL)	
METHOD OF PAYMENT		WANTER OF SIGNATURE (OPTIONAL)	
CARRIER AND CARRIER BY AIR		WANTER OF SIGNATURE (OPTIONAL)	
FEDERAL AIR MAIL		WANTER OF SIGNATURE (OPTIONAL)	
FROM: (Signature) Phone # 503-296-3311		TO: (Signature) Phone #	
ROBERT W BECKER X ASSOC 11376 N HIGHWAY 14 NM 87059-1298 ALBUQUERQUE		ASSISTANT COMMISSIONER FOR ATTENTION WASHINGTON DC 20231-0001	
PRESS HARD. FOR PICKUP OR TRACKING CALL 1-800-222-1811 <a href="http://www.usps.gov">www.usps.gov</a>			

**Customer Copy**